

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, NC

JAN 07 2011

Docket No. 03-CR-197

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA)

v.)

NICOLAS GEORGES FRANCIS,)

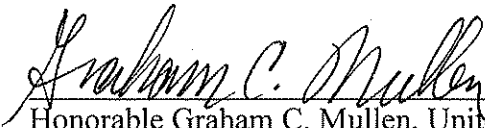
Defendant-Petitioner.)

ORDER AMENDING
JUDGEMENT AND GRANTING
DEFENDANT-PETITIONER
RELIEF PURSUANT TO
CORAM NOBIS

THIS MATTER coming on to be heard and being heard before the Honorable United States District Court Judge Graham C. Mullen upon motion of the petitioner to grant the relief requested in Defendant-Petitioner's Petition Pursuant to the Writ of *Coram Nobis* to amend his January 24, 2006, sentence for his conviction of violating 18 U.S.C. § 2314. The Court finds that the United States Attorney was served with a copy of the petition and has not filed any opposition to the petition. The Court finds that the Petitioner has completed service of his sentence and the term of supervised release and has received notice of completion of the term of supervision by the United States Probation Office for the Western District of North Carolina. It further appears to the Court based upon the facts and legal authority set forth in the petition that the relief requested in the Petition Pursuant to the Writ of *Coram Nobis* should be **GRANTED**.

IT IS THEREFORE ORDERED that Defendant-Petitioner Nicolas Georges Francis's January 24, 2006 sentence of three years of probation, including one year of home detention as a condition of probation, is hereby retroactively amended to reflect that the home detention condition of Defendant-Petitioner's sentence be reduced from twelve months to three hundred sixty four (364) days. The Court orders that the Judgment entered by this Court dated 3 February 2006 in case number 3:03cr197 is amended on page 2 of 4 pages at ADDITIONAL CONDITIONS, paragraph 4. so that it will now read, "That the Defendant shall serve 364 days (one day less than a full year) of home detention with work release, and shall remain at his place of residence except for employment or other activities approved by the United States Probation Officer." Since the Petitioner has completed his sentence and term of supervised release and has been discharged by the Court, nothing further is required of him pursuant to the Amended Judgment.

This the 6th day of January, 2011.



Honorable Graham C. Mullen, United States District Court Judge